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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,972	08/10/2001	Woodrow W. Grandy	TSYS-25,410	5997

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EXAMINER

BLACK, LINH

ART UNIT PAPER NUMBER

2167

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/927,972

Applicant(s)

GRANDY ET AL.

Examiner

LINH BLACK

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) 18-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

This communication is in response to the Applicants' Response dated 5/6/05. Claims 1-17, 27-31 are pending in the application. claims 1 and 29 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Iliff
(US 2001/0029322).

As per claim 1, Iliff teaches patient's computer - fig. 24, item 2116; authorizing access - fig. 6, items 250, 272, 276; a screen, capable of displaying a form capable of receiving entries of yes/no data - fig. 33, item 2612; pars. 0014, 0029, 0703; a plurality of templates, each of the templates showing a plurality of relevant inquiries and capable of accepting data entry as yes/no entries by a user, said templates being accessible on the

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workstation or on a computer accessible by the workstation – pars. 0136, 0703; providing the capability for a user to access a selected database or a selected template – fig. 6, item 260; par. 0196; a plurality of modifiers related to and associated with designated inquiries on at least a portion of the templates and at least a portion of the specific sub-templates showing more detailed inquiries related to the inquiries on the templates and sub-templates for the entry of additional data – fig. 32, item 2592; pars. 0274-285. (Applicants teach the limitation modifier in paragraph 0077, page 16 of 22 of the specification, "...for instance with the vomiting modifiers discussed above, it may be indicated that severe vomiting is present, that the vomit is blood tinged and contains frank blood..."); a retrievable database for storing and retrieving entered data from at least one of the templates, sub-templates and modifiers – fig. 6, item 260; pars. 0703, 0732-0734; a language program accessible by the workstation and capable of producing a language text report of the entered data – pars. 0701-0702; fig. 3, items 170, 172.

As per claim 2, Iliff teaches forms and modifiers – pars. 0703; fig. 32, item 2592; pars. 0274-285. (Applicants teach the limitation modifier in paragraph 0077, page 16 of 22 of the specification, "...for instance with the vomiting modifiers discussed above, it may be indicated that severe vomiting is present, that the vomit is blood tinged and contains frank blood...")

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As per claim 3, Iliff teaches wherein the workstation is programmed to display a database access display providing the capacity to select a template for a selected section of the database – pars. 0032, 0035, 0060.

As per claim 4, Iliff teaches wherein the system is a system for entering medical data – pars. 0129, 0273, 0726.

As per claim 5, Iliff teaches wherein the database access display enables the selection of a template selector for medical history, medical examination, medical course and medical discharge and related matters – pars. 0017, 0035, 0464.

As per claim 6, Iliff teaches wherein the templates are capable of data entry by a yes/no entry on selected inquiries in each template inquiry – pars. 0136, 0703; fig. 33.

As per claims 7-9, Iliff teaches more detailed inquiries for the selected template inquiry to enable the user to enter more detailed data by yes/no entries – pars. 0136, 0274-0287, 0703; fig. 33.

As per claim 10, Iliff teaches wherein the language program produces an English language text report of the entered data – pars. 0009, 0202, 0675, 0739.

As per claim 11, Iliff teaches wherein the workstation is programmed to access additional databases – pars. 0196, 0237, 0560.

As per claim 12, Iliff teaches receive, distribute or direct distribution of all or selected portions of the entered data to at least one identified recipient or database – pars. 0273, 0739, 0750.

As per claim 13, Iliff teaches store the entered data and maintain a record of distribution of the entered data – pars. 0035-0036, 0083.

As per claim 14, Iliff teaches wherein the selected portions of the data are distributable automatically to the identified recipients or databases according to programmed instructions – pars. 0009, 0216, 0413.

As per claim 16, Iliff teaches forms and modifiers – pars. 0703; fig. 32, item 2592; pars. 0274-285. (Applicants teach the limitation modifier in paragraph 0077, page 16 of 22 of the specification, "...for instance with the vomiting modifiers discussed above, it may be indicated that severe vomiting is present, that the vomit is blood tinged and contains frank blood..."); Iliff also teaches the problem screening questions to determine patients' level of sickness or if patents need immediate attention - pars. 0274-285. Thus, users'

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entries to answer questions inherently allowed modifiers' adjectives to be modified such as severe headache/vomiting or little headache/vomiting etc...

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iliff (US 2001/0029322), and further in view of Florance et al. (US 6871140).

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As per claims 15 and 17, Iliff does not explicitly suggest a single sentence report.

However, in any field of services or businesses, a single sentence report or plural sentences report are well known, it depends on the users' needs. Florance et al. teach one-line, multi-lines reports – col. 54, lines 17-21. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Iliff's teaching with Florance et al.'s teaching in order to efficiently provided needed information to users.

Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iliff (US 2001/0029322), and further in view of Ericson (US 2002/0050982).

As per claims 27 and 28, Iliff teaches users can click/tap on the circle yes/positive response or no/negative response – fig. 33, item 2612. Iliff does not explicitly teach using the backslash for a negative response. However, using the backslash for answering questions is well known in the prior art. Ericson teaches “forms and the like are used to considerable extent in today's society. The aim of such forms is to ensure that a user fills in the correct information and that this is carried out in a structured way” – par. 0003. Ericson also teaches the usage of backslash for a negative response – fig. 4, item 403-404. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Iliff's teaching with Ericson's teaching in order to efficient way for users/patients to quickly answer questions.

Claims 29-31 claim the same subject matter as of claims 1-17, 27-28, and are rejected based on the same ground of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LINH BLACK
Examiner
Art Unit 2167

June 24, 2005


Primary Examiner